



Board of Adjustment Application

Campbell County and Municipal Planning & Zoning Commission

1010 Monmouth Street
Newport, Kentucky 41071
Phone: (859) 292-3880
Fax: (859) 547-1868

****ALL BLANKS MUST BE COMPLETELY FILLED OR
THE APPLICATION WILL NOT BE ACCEPTED****

Section A (to be completed by the applicant)

1. Request:

- | | |
|--|-----------------------------------|
| <input type="checkbox"/> Conditional Use Permit (Use must be listed in the Zoning Ordinance) | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Change from Non-conforming Use to Another | <input type="checkbox"/> Appeal |

2. Jurisdiction/Location:

- | | | |
|--|--|--|
| <input type="checkbox"/> Unincorp. Campbell County | <input type="checkbox"/> City of Melbourne | <input type="checkbox"/> City of Dayton |
| <input type="checkbox"/> City of Crestview | <input type="checkbox"/> City of Woodlawn | <input type="checkbox"/> City of Southgate |

3. Applicants Full Name _____

Phone Number _____ Fax Number _____

Applicant's Complete Address _____

City	State	Zip
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4. **Detailed** Description of Reason(s) for Request _____

5. Name of Development _____

6. Location of Development _____

7. Lot Number and Name of Subdivision (if part of a subdivision)

8. Owner of Property _____
Phone Number _____ Fax Number _____
Address _____
City _____ State _____ Zip _____
9. Proposed Use(s) on Site (Be Specific) _____

10. Total Square Footage of Existing and/or Proposed Buildings

11. Current Zoning on Property _____
12. Deed Book No. _____ Page No. _____ Group No. _____
13. Is this property subject to a zone change? _____
If so, give date of approval _____
14. I, or we, understand and agree that this application and attached drawing(s) are being filed in accordance with the Campbell County Zoning Ordinance.
Applicant's Signature _____
Property Owner's Signature _____
City of _____
County of _____
Commonwealth of _____
Subscribed and sworn before me this _____ day of _____, 20_____.
Notary Public _____
My Commission Expires _____

Section B (Submission Requirements)

1. One (1) copy of this application.
2. Two (2) copies of a legal description of the property, including deed book and page, group number and a copy of the deed.
3. Names and addresses of all adjoining property owners.
4. Fee (s) as per current Campbell County Zoning Fee Schedule.

5. Twelve (12) copies of a site plan; Four **acceptable** types are described below.

A. Site Plan Type A

A site plan that requires no exterior utility construction (water, storm sewers, sanitary, etc.), minimal or no grading, 12 parking spaces or less, a 15% or less increase in existing building square footage, and no additional access points or curb cuts onto street.

Accessory uses require approval of a zone permit.

Requirements include:

1. Plan at a scale of no smaller than one (1) inch to one hundred (100) feet.
2. Bearings and distances of the property.
3. Location and width of all public and private streets.
4. Location of all existing and proposed structures, including all setbacks. **NOTE:** Front yard setbacks are measured from the right of way line of the street, not the centerline.
5. The specific proposed use at the site.
6. Dimensions, square footage, and height of proposed building or addition.
7. Location of all existing utilities.
8. Location of any proposed parking including dimensions and access points.

B. Site Plan Type B

A site plan that involves exterior utility construction (water, storm sewers, sanitary, etc.), grading work, more than 12 parking spaces, more than a 15% increase in existing building square footage, and access points or curb cuts. Accessory uses require approval of a zone permit.

The site plan shall be prepared by a Kentucky Licensed Professional Engineer and/or Land Surveyor and shall include all requirements of Section 9.19 of the current Zoning Ordinance.

C. Site Plan Type C

A site plan specifically for manufactured home approval in the A-1 zone.

Requirements include:

1. Plan at a scale of no smaller than one (1) inch to one hundred (100) feet.
2. Bearings and distances of the property.
3. Location and width of all public and private streets.
4. Location of all existing and proposed structures, including all setbacks. **NOTE:** Front yard setbacks are measured from the right of way line of the street, not the centerline.
5. Location of all adjacent dwelling or businesses, conventional or mobile.
6. The proposed use at the site.
7. Dimensions, square footage, and height of proposed building or addition.
8. Location of all existing utilities.
9. Location of any proposed parking including dimensions and access points.

***** IMPORTANT EVIDENCE SUBMISSION REQUIREMENT *****

ALL REQUESTS

The applicant shall submit and/or present **factual** evidence demonstrating:

1. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or the community;
2. That such use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
3. That such use will comply with any regulations and conditions in this Ordinance for such use.

In addition, the applicant shall submit the following evidence for the requests mentioned below:

VARIANCES

The applicant shall submit and/or present **factual** evidence demonstrating:

- a. That the requested variance arises from special circumstances exist which do not generally apply to land in the general vicinity, or in the same zone.
- b. That the manner in which the strict application of the provisions of this Ordinance would deprive the applicant of a reasonable use of the land or would create an unnecessary hardship on the applicant.
- c. That the circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
- d. Reasons that the variance will not allow unreasonable circumstance of the requirements of the zoning regulations and will not alter the essential character of the neighborhood; and
- e. That the variance requested will not confer on the applicant any special, privilege that is not conferred by this ordinance to other lands, structures or buildings in the same zone. No nonconforming use of neighboring lands, and structures in the same zone shall be considered grounds for the issuance of a variance.
- f. That the variance requested will not adversely affect the public health, safety, or welfare, will not adversely alter the essential character of the general vicinity, and will not cause a hazard or nuisance to the public.
- g. That the variance will be in harmony with the general purpose and intent of the Zoning Ordinance as well as the Adopted Comprehensive Plan for the County.

CHANGE FROM ONE NONCONFORMING USE TO ANOTHER

The applicant shall submit and/or present evidence demonstrating:

- a. That the new nonconforming use shall generate less vehicular traffic (automobile and truck) than the prior nonconforming use;
- b. That the new nonconforming use is of a nature which will emit less noise and air pollution than the prior nonconforming use;
- c. That the new nonconforming use will be more in character with the existing neighborhood than the prior nonconforming use, in that it is more in conformance with the adopted comprehensive plan of the County and also, more in conformance with the uses permitted in the zone in which the use is located, than the prior nonconforming use.
- d. That the new nonconforming use is in the same or more restrictive classification of use as the prior nonconforming use.

Notes:

1. The Board of Adjustment **IS NOT PERMITTED BY LAW** allow the enlargement or extension of a nonconforming use beyond the scope and area of its operation at which time its use became nonconforming.
2. The change of nonconforming use as may be granted by the Board of Adjustment applies to the property for which it is granted and not to the individual who applied and, therefore, cannot be transferred by the applicant to a different property.

Section C (to be completed by the Campbell County Zoning Staff)

1. Date Received _____ Fee Received _____
2. Is this application complete ☐ Yes ☐ No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
☐ Approved
☐ Approved with conditions (see #6)
☐ Denial (see #7)
6. Conditions of approval: _____

7. Reasons for Denial: _____

8. Date written Approval / Denial sent to applicant _____

Case No. _____